

February 2012

CMAS Contract Application

(This packet supersedes all previous CMAS applications)

- **Contains Links to Overview of the CMAS Program & FAQs**
- **Contains CMAS Application (Contract Offer) & Instructions**
- **Call CMAS Unit for Information (916) 375-4365**
- **Contact CMAS Unit at cmas@dgs.ca.gov**



California Multiple Award Schedules
Procurement Division · Department of General Services
State of California

CMAS CONTRACT APPLICATION

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CMAS CONTRACT APPLICATION

SECTION 1 – INTRODUCTION

Before You Get Started

For a brief overview of the California Multiple Award Schedules (CMAS) Program, including a listing of some products and services not available through the CMAS Program, click:

<http://www.documents.dgs.ca.gov/pd/cmas/ApplicationInfo/CMASOverviewFebruary2012.pdf>

For a listing of Frequently Asked Questions (FAQs) about completing this CMAS Contract Application, click:

<http://www.documents.dgs.ca.gov/pd/cmas/ApplicationInfo/ApplicationFAQsFebruary2012.pdf>

Steps for Completing this Application

The following steps apply to an application for either a new or renewal CMAS contract:

- Step 1: Find a base Federal GSA schedule.
 - Step 2: Read the instructions for completing this application.
 - Step 3: Complete your CMAS Contract Application.
 - Step 4: Submit your CMAS contract application
-

Incomplete Submittals

All required documents must be submitted with a CMAS contract application, as incomplete submittals may be returned unprocessed.

STEP 1 – FIND A BASE FEDERAL GSA SCHEDULE

Find a Base GSA Schedule

The first step in completing a CMAS contract application is to find a base Federal GSA schedule that contains the products, services and prices you want to offer. This base Federal GSA schedule can be held either by your company or by another company. A separate CMAS contract application must be submitted for each base GSA schedule offered. To search for a Federal GSA schedule, select this link:

www.gsaelibrary.gsa.gov

GSA Requirements

To access a document providing the CMAS requirements for base GSA schedules and a listing of some unacceptable GSA schedules, click:

<http://www.documents.dgs.ca.gov/pd/cmas/ApplicationInfo/GSARrequirementsFebruary2012.pdf>

Submit One Copy of GSA Schedule

With your application, include one complete copy of the GSA schedule you select as the base for your CMAS contract offer. A complete GSA schedule consists of the following components:

- Cover Page
- Ordering Instructions
- Terms & Conditions
- Product Descriptions
- Service Descriptions
- Pricing

CMAS CONTRACT APPLICATION

Continued on next page

Section 1 – Introduction, Continued

STEP 2 – READ THE INSTRUCTIONS FOR COMPLETING THIS APPLICATION

Read the Instructions

In order to accurately complete this CMAS Contract Application, you must first read the instructions for each field on the application. Each field is numbered, and immediately following the application are the instructions listed with corresponding numbers.

STEP 3 – COMPLETE YOUR CMAS CONTRACT APPLICATION

Application & Instructions

The application starts on page 5, and the instructions begin on page 8. For each numbered item in the application, there is a corresponding set of instructions with the same number.

By signing this CMAS contract application, your firm is making a legal, binding offer for a CMAS contract to provide products and/or services to the State of California. Currently, this CMAS Contract Application is only available in this format.

Separate Application

A separate CMAS contract application must be submitted for each base GSA schedule offered.

Checklist

Complete the checklist, Attachment E, and submit as the first page of your application.

STEP 4 – SUBMIT YOUR CMAS CONTRACT APPLICATION

Where to Send Your Application

Mail your CMAS contract application to:

California Department of General Services
Procurement Division – CMAS Unit
Attention – Application Processing
PO Box 989052, MS # 2-202
West Sacramento, CA 95798-9052

Or you may hand deliver your CMAS contract application to:

California Department of General Services
Procurement Division – CMAS Unit
Attention – Application Processing
707 Third Street, 2nd Floor, MS # 2-202
West Sacramento, CA 95605-2811

Faxed or emailed applications are not accepted.

CMAS CONTRACT APPLICATION

Section 2 – CMAS Contract Application

Instructions for completing this application start on page 8

1. Company making CMAS contract offer:

Company Name

DBA Name (if applicable)

Previous CMAS Company Name (if applicable)

Street Address (No PO Box)

City, State, Zip Code

2. ☐ Fictitious business name (dba as shown in #1) (check if applicable and include required document)

3. New or renewal contract (check only one box)

- ☐ This application is for a new CMAS contract.
☐ This application is to renew our existing CMAS contract.

Contract No: _____

4. Contact: Questions on resulting contract

Contact Name

Phone Number (and extension if applicable)

Fax Number

Email Address

Street Address or PO Box (if different from #1)

City, State, Zip Code (if different from #1)

5. Contact: Questions regarding application (check only one box)

- ☐ The same contact person shown in #4.
☐ The contact person from this company named below:

Contact Name

Phone Number

Fax Number

Email Address

- ☐ The authorized consultant shown in #6

6. Contact: Authorized consulting firm

(Authorized to answer questions about application)

Company Name

Contact Name

Phone Number (and extension if applicable)

Email Address

7. Address where Purchase Orders are sent:

Company Name

Street Address or PO Box

City, State, Zip Code

Fax Number

Attention

8. CMAS California Terms & Conditions

This company accepts the current CMAS State of California Terms & Conditions dated August 2010 without exceptions. (check only one box)

- ☐ Information Technology Goods & Services
☐ Non-Information Technology Goods
☐ Non-Information Technology Services

9. ☐ Payee Data Record (Std. 204) enclosed

10. Secretary of State (SOS) registration

(check only one box)

- ☐ SOS screen print or certificate included (Corp, LLC, LLP, LP)
☐ SOS registration not required (Sole Proprietor or Partnership)

11. ☐ California Seller's Permit (check if applicable and provide permit number)

California Seller's Permit No: _____

CMAS CONTRACT APPLICATION

Section 2 – CMAS Contract Application, Continued

12. ☐ **California Contractor's License** *(check if applicable and provide license number)*

California Contractor's License No: _____

13. **Company's business status** *(check applicable boxes)*

- ☐ California SB Certification No: _____
☐ California DVBE Certification No: _____
☐ Uncertified SB *(will be shown as a large business)*
☐ Large Business

14. ☐ **Not Specifically Priced (NSP) provision requested** *(check if applicable)*

15. ☐ **Resellers on CMAS contract requested** *(check if applicable and include required information)*

16. ☐ **CMAS Product & Service Codes included**

17. **Authorization letter(s)** *(check applicable box)*

- ☐ Signed authorization letter from manufacturer, base GSA schedule holder, or major distributor included.
☐ Offering own products or is holder of own GSA schedule, so authorization letter not required.
☐ Offering consulting or personal services only, so authorization letter not required.

18. ☐ **Manufacturer specific authorization letter(s) included** *(check if applicable)*

19. ☐ **CAL-Card is accepted** *(check if applicable)*

20. **Customer references, Attachment C** *(check only one box)*

- ☐ Customer reference forms (Attachment C) included.
☐ Customer references not required *(offering own GSA schedule or products only)*

21. ☐ **Local government agency orders accepted** *(check if applicable)*

22. **Minimum order amount** *(select one)*

☐ None or \$ _____

23. ☐ **Darfur Contracting Act Certification** *(check if Attachment D included, only required for non-IT goods/services)*

24. **Federal GSA schedule selected as base for this CMAS contract application:**

GSA Schedule No: GS- _____

GSA Schedule Co: _____

GSA Schedule Term:
Start Date: _____

End Date: _____

25. ☐ **Base Federal GSA schedule** *(include one complete copy of GSA schedule identified in #24)*

26. **Offering all or part of GSA schedule** *(identified in #24, check only one box)*

- ☐ Offering all products and/or services in GSA schedule
☐ Offering only products and/or services identified below:

Brand(s) of products offered *(include a separate list if needed):*

<u>Brand Name</u>	<u>Hardware</u>	<u>Software</u>
_____	<input type="checkbox"/>	<input type="checkbox"/>
_____	<input type="checkbox"/>	<input type="checkbox"/>
_____	<input type="checkbox"/>	<input type="checkbox"/>
_____	<input type="checkbox"/>	<input type="checkbox"/>

Services offered *(check only applicable GSA services):*

- ☐ Installation ☐ Repair ☐ Hardware Maintenance
☐ Software Maintenance ☐ Training Courses
☐ Consulting ☐ Personal Services:
(see page 18 for personal services definition)

(specify type of personal services offered)

CMAS CONTRACT APPLICATION

Section 2 – CMAS Contract Application, Continued

27. False Claims:

Section 12650 et seq. of the California Government Code provides for the imposition of treble damages for making false claims against the State. False claims may also result in immediate termination of the contract resulting from this application (*no action needed by applicant on this item*).

28. Signature Block:

The person identified below is authorized to bind this company to the CMAS contract resulting from this application. By signing below, the contractor certifies compliance with the requirements listed in the CMAS Contractor Certification (Attachment A consisting of 1 page). California Code requires that you provide your application with an original signature.

Company Name

Printed Name and Title of Signer

Authorized Signature

Date Signed

CMAS CONTRACT APPLICATION

Section 3 – Instructions for Completing Application

These are the corresponding set of instructions for each numbered item in the application.

1. Company making CMAS contract offer

Provide your company name, street address (no PO Box), city, state, and zip code. If you wish to be shown on your CMAS contract as a “doing business as” (dba) instead of the company name as registered with the Secretary of State, include your dba name here. See the documentation required for a dba in #2.

If your company previously held a CMAS contract under a different company name, include that information here.

2. Fictitious business name

Companies “doing business as” (dba) a different name than as registered with the California Secretary of State, must include a valid Fictitious Business Name Statement with their application. This statement is filed with the California County in which your firm conducts business, and is valid for five years from the date it was filed in the office of the County Clerk. When a company has no place of business in California, they shall file with the County Clerk of Sacramento County at www.finance.saccounty.net/Tax/BusLicForms.asp.

3. New or renewal contract

A CMAS contract application is considered new if it is the first time a company has offered a particular base GSA schedule, or if their previous CMAS contract has been expired for 6 months or more.

A CMAS contract application is considered a renewal if, 1) the company is offering the same base contract as on their original CMAS contract, and 2) if the base contract has been extended or renewed for a term of one year or more. The same documents and information are required for a contract renewal request as for a new contract application. See the “CMAS Contract Management & Information Guide” at the CMAS website for directions on renewing a CMAS contract.

4. Contact: Questions on resulting contract

Provide your company’s CMAS contact person and their contact information. This person is the first point of contact for CMAS customers needing information about, or a copy of your company’s CMAS contract. Only one person’s name can be provided for this purpose. The name and contact information will be shown at the CMAS website along with your company name and CMAS contract number.

5. Contact: Questions regarding application

If the CMAS Unit has questions regarding your CMAS contract application, and if the best person to contact at your company is someone other than your CMAS contact person named in #4, then provide that person’s name and contact information here.

6. Contact: Authorized consulting firm

(Authorized to answer questions about application)

If a consulting firm has been hired to complete and submit the CMAS contract application on your behalf, provide the consulting company’s name and contact information. By signing this application, you are authorizing this consulting company to act on your behalf regarding all questions relevant to this application.

7. Address where Purchase Orders are sent

Provide the mailing address where orders issued against the CMAS contract resulting from this application will be sent. Either a street address or PO Box is acceptable. In the “Fax Number” field, either provide a fax number where orders can be sent or state “Not Available”. Complete the “Attention” field, or state “Not Applicable”.

8. CMAS California Terms & Conditions

To review the current CMAS Terms and Conditions go to www.dgs.ca.gov/pd/programs/leveraged/cmas.aspx and select “CMAS Contract Terms and Conditions.”

Your CMAS contract application must include acceptance of the current, applicable CMAS Terms and Conditions without exceptions. There are three sets of Terms and Conditions, 1) IT Goods & Services, 2) Non-IT Goods, and 3) Non-IT Services. Check only one box next to the set that applies to your contract application. Proposed changes to the CMAS State of California Terms and Conditions will not be considered.

CMAS CONTRACT APPLICATION

Section 3 – Instructions for Completing Application, continued

9. Payee Data Record (Std. 204)

A completed Payee Data Record (Std. 204) is required before a company can receive payment from the State of California. All CMAS contract applications must include a completed Payee Data Record. This form is available at: www.documents.dgs.ca.gov/osp/pdf/std204.pdf. The instructions to complete the Payee Data Record are on page 2 of the form. For your CMAS contract application, leave Section 6 of the Payee Data Record blank.

10. Secretary of State (SOS)

If your company is a Corporation, a Limited Liability Company (LLC), a Limited Liability Partnership (LLP), or a Limited Partnership (LP), you must be registered with the California Secretary of State (SOS) to be awarded a CMAS contract. For Corps, LLCs, and LPs, a screen print from the SOS website showing your status as active will meet this requirement. For LLPs, a copy of your Certificate of Status from the SOS dated within the last 6 months is required. The contact information for the SOS is <http://kepler.ss.ca.gov> or call (916) 657-5251.

If your company is a Sole Proprietor or a Partnership, registration with the SOS is not required.

11. California Seller's Permit

In accordance with Public Contract Code Section 10295.1, before being awarded a State of California contract to provide personal tangible property, your firm must hold a valid California Seller's Permit or Certification of Registration – Use Tax issued by the California State Board of Equalization (BOE). If applicable, you must provide your California Seller's Permit number with your CMAS contract application. The contact information for the BOE is <http://www.boe.ca.gov/info/reg.htm> or call (800) 400-7115.

12. California Contractor's License

All companies who construct or alter any building, highway, road, parking facility, railroad, excavation, or other public structure in California must be licensed by the Contractors State License Board (CSLB). This type of work is considered Public Works. The CMAS requirements for including Public Works components on a CMAS contract are:

- CMAS purchase orders may allow for Public Works installation only when it is incidental to the total purchase order amount. This means the total dollar value of all public works installation services included in the purchase order must not exceed the total dollar value of the products.
- When a Contractor's License is required, the prime contractor and any subcontractors must hold a valid license for the type of work being performed.
- The public works installation service must be included and priced in the base GSA schedule for it to be included in a CMAS contract.

Examples of Public Works components covered on the CMAS Program are the installation of carpet, pulling cable and wire, and attaching shelving systems to the walls or floor. See more information about Public Works projects in the "CMAS Contract Management & Information Guide". The contact information for the CSLB is www.cslb.ca.gov or call (800) 321-2752.

13. Company's business status

Check the applicable box(es) to identify if your company is a California certified small business (SB) or disabled veteran business enterprise (DVBE), an uncertified small business, or a large business. Small businesses that are not certified by the State of California as a SB will be shown as a large business on their CMAS contract.

If your company is a California certified SB or DVBE, include your certification number.

NOTE: The Department of General Services waives the administrative fee charged to State agencies if they place their CMAS order with a California certified SB. Also, the incentive fee charged to contractors for local agency CMAS orders is waived if the contractor is a California certified SB.

For information on SB and DVBE certifications, go to the Procurement Division website at www.pd.dgs.ca.gov and select the SB/DVBE link or call (916) 375-4940.

CMAS CONTRACT APPLICATION

Section 3 – Instructions for Completing Application, continued

14. Not Specifically Priced (NSP) Provision

The Not Specifically Priced (NSP) Provision enables an agency to include in their CMAS purchase order non-contract products and related services that are subordinate and peripheral to the other items on the order. The NSP Provision is applicable to products and the related services, but cannot be included in a CMAS contract order for software, consulting services, or personal services including training. See Attachment B for the details of the NSP Provision.

15. Resellers on CMAS contract

Only the prime contractor can use their CMAS contract unless they have resellers listed on it who are also authorized to use it. Resellers are permitted on a CMAS contract for products only if the CMAS contract holder is a manufacturer or publisher. Resellers are not permitted on contracts for consulting, personal, or technical services only.

If the CMAS contractor authorizes resellers to use their contract, a list of authorized resellers is required. The following information must be included for each reseller:

- Ordering instructions: Indicate if reseller can receive purchase orders directly from the State, or if all orders must go to the prime contractor.
- Invoicing instructions: Advise if reseller can receive payment directly from the State, or if all payment must go directly to the prime contractor.
- Resellers receiving direct payment from the State must be registered with the California Secretary of State (SOS) if they are a Corporation, LLC, LLP, or LP. Include a screen print from the SOS website for each reseller to document their status is "active".
- Include a Payee Data Record for each reseller who will receive payment directly from the State.
- On an attached sheet, provide the following information for each reseller: company name, address, contact person's name, phone number, fax number, and email address. If numerous resellers are requested, the CMAS analyst may request a soft copy of this information.

Resellers cannot be listed on a CMAS contract if they are only marketing products and not performing a commercially useful function associated with the contract, such as accepting orders or providing products.

16. CMAS Product & Service Codes

CMAS Product & Service (P&S) Codes are used to identify, describe and market the primary products and/or services offered. Contractors may select up to 12 CMAS P&S Codes per base contract offered. At least one of the codes selected must be a product description or a service description other than a brand code. In the space to the left of each code selected, provide a page number where that brand, product, or service can be found in the base contract offered. Only submit the pages of CMAS P&S Codes on which a code has been selected.

CMAS contractors can sell all of the products/services approved in their CMAS contract, and are not limited to the CMAS P&S Codes selected. Customer agencies will use these codes to search the CMAS website for brands, products, or services they need to procure.

A complete listing of these codes is available at:
<http://www.documents.dgs.ca.gov/pd/cmas/prodcode.pdf>.

17. Authorization letter(s)

Suppliers offering products and technical services (installation, repair, maintenance, or training on products being sold) from their own Federal GSA schedule are not required to provide manufacturer authorization letters.

Manufacturers offering their own products and technical services do not need to provide letters of authorization, even if they are not the holder of the base Federal GSA schedule.

Suppliers offering products and technical services from another company's Federal GSA schedule must provide an authorization letter clearly defining what can be sold, and it must be signed and dated within the previous 6 months. Supplier must be authorized as follows:

- To sell products only, written authorization from the manufacturer, a major distributor, or the Federal GSA schedule owner is required.

CMAS CONTRACT APPLICATION

Section 3 – Instructions for Completing Application, continued

- To sell or provide repair, maintenance, or training services on the products being sold, written authorization must come from the manufacturer. The authorization letter must be clear as to who is selling and who is providing the service. For example, the CMAS contractor could sell and provide the service, or the CMAS contractor could sell the service and the manufacturer would provide the service.
- To provide installation services, contractors self-certify their qualification by agreeing to the provisions in the CMAS Contractor Certification (Attachment A) when they sign their application.

Product installation services and software services are required to be performed by manufacturer or software publisher authorized personnel, and must meet the manufacturer or software publisher documented specifications.

18. Manufacturer specific authorization letter(s)

When a company is selling another manufacturer's products or services, some manufacturers require specific individuals from their company to sign the authorization letter. For a listing of these manufacturers and their contact information go to: www.dgs.ca.gov/pd/programs/leveraged/cmas.aspx, and then select the link "For Suppliers/Contractors".

19. CAL-Card

CAL-Card is a VISA payment plan. If your company accepts VISA, then check the box advising CAL-Card is accepted. Non-acceptance of CAL-Card will not effect the approval of your CMAS contract.

20. Customer references (*Attachment C*)

Contractors offering consulting, personal, or technical (without products) services from their own Federal GSA schedule are not required to include customer references with their CMAS contract application. Contractors offering consulting, personal, or technical (without products) services from another company's Federal GSA schedule must include customer references to substantiate their qualification to provide these services. See Attachment C of this application for definitions of the various types of services, the customer reference forms, and the instructions to complete these forms.

Newly formed companies who do not have a minimum of three customer references in their company name can still be considered for a CMAS contract. Their references may be submitted in the name of the owner and/or partner(s) for services they provided prior to the formation of the new company. In this case, the resulting CMAS contract will be restricted so only the owner and/or partner(s) can provide services on the contract. After a minimum of 6 months, and after the new company has a minimum of 3 customer references in their company name, a request to remove the restriction may be submitted.

21. Local government agency orders

A local government agency is any city, county, district, other local governmental body, or educational system including the California State University (CSU), the University of California (UC), K-12 public schools, and community colleges empowered to expend public funds.

Supplier must indicate your company's acceptance of local government agency orders placed against your CMAS contract. Suppliers must agree to pay the DGS-PD a 1% incentive fee for all CMAS orders from local government agencies. This incentive fee is waived for all California Certified Small Businesses.

22. Minimum order amount

This is the minimum order amount your company will accept against your CMAS contract. If your company has no minimum order requirement, check the box next to "None". If your company has a minimum order amount, provide that dollar amount in the space provided.

23. Darfur Contracting Act Certification

Pursuant to Public Contract Code Sections 10475, et seq., procurements for non-IT goods or services must address the requirements of the Darfur Contracting Act. Suppliers offering non-IT goods or services must complete and include with their CMAS contract application the Darfur Contracting Act Certification, Attachment D of this application. See the instructions for completing this certification on the back of the form.

CMAS CONTRACT APPLICATION

Section 3 – Instructions for Completing Application, continued

24. Federal GSA schedule selected

Provide the Federal GSA schedule number offered as the base for your CMAS contract, the base schedule owner (company name), and the base schedule start and end dates. A separate CMAS contract application must be submitted for each base GSA schedule offered.

See Section 1, Step 1, “Find a Base Federal GSA Contract” for a link to the GSA eLibrary, which can be used to search for a GSA schedule. This section also contains a link to the CMAS requirements for base GSA schedules.

25. Base Federal GSA schedule included

Check the box to indicate your company has included one complete copy of the “Authorized Federal GSA Supply Service Schedule” identified in #24. A complete GSA schedule consists of the cover page, ordering instructions, terms & conditions, product and/or service descriptions, and pricing.

Soft copies of GSA schedules cannot be accepted. The only exception to this rule is when the pricing exceeds 1000 pages (printed double-sided). In this case, the pricing pages may be submitted on a CD. The GSA schedule, less pricing, must still be submitted in hard copy.

26. CMAS offering all or part of GSA schedule

For your company's CMAS contract application, you can offer all of the products and/or services available on the base GSA schedule, or only portions of it. Check only one of the boxes in this section. If your company is offering the entire base GSA schedule, check the first box and skip to #27. If your company is offering only certain portions of the base GSA schedule, check the second box and complete the information identifying the brands and services offered. All products and/or services must be priced in the base GSA schedule to be included on a CMAS contract

27. False Claims

By signing this application, you are making a legally binding offer to the State of California to establish a CMAS contract for your company. California Government Code Section 12650 et seq., provides for the imposition of treble damages for making false claims against the State. False claims may also result in immediate termination of the CMAS contract resulting from this application.

28. Signature Block

This CMAS contract application must be signed by a person authorized to bind your company to the CMAS contract resulting from this application.

The CMAS Contractor Certification, Attachment A, contains several requirements of CMAS contractors. All applicants must read and agree to these requirements in order to be awarded a CMAS contract. By signing the application, your company agrees to comply with all of these requirements.

Sign and date the application in ink, and provide all required information in the signature block. California Code requires that you provide your application with an original signature.

CMAS CONTRACT APPLICATION

ATTACHMENT A - CMAS Contractor Certification

By signing the CMAS Contract Application, applicant certifies that their company will comply with the following requirements:

Contractor Responsibility	My company will be totally responsible, in accordance with the terms and conditions of the contract, for all products and services sold through my company's CMAS contract.
Sell Only Approved Products and Services	<p>My company will sell only products and services approved for my CMAS contract(s). This may include the entire or partial base Federal GSA schedule.</p> <p>All products and services offered by my company under our CMAS contract appear on and meet all requirements expressly stated in the base Federal GSA schedule.</p>
Contract Prices	My company will offer our CMAS customers prices for products and services equal to or lower than the prices in the base Federal GSA schedule.
Contractor Provides Contract to Customers	My company will provide to each agency upon request a complete copy of the CMAS contract. <i>(After your contract has been awarded, see the award letter for the components of your CMAS contract.)</i>
Keeping Current	<p>My company will sell only the most current CMAS approved products and services as approved for the base Federal GSA schedule. My company will maintain files (including all modifications) to substantiate compliance with this requirement.</p> <p>This requirement also applies to my company if I am establishing my CMAS contract based on another company's Federal GSA schedule.</p>
Education & Experience Requirements	My company will only provide qualified personnel who meet the education and experience requirements as stipulated in the base Federal GSA schedule.
Product Installation	My company will perform product installation only if specifically provided for in the CMAS contract. All product installations performed by my company will be by manufacturer-authorized personnel and meet manufacturer-documented specifications, unless otherwise specifically stated in the agency's purchase order/Statement of Work.
Software Services	My company will perform software services only if specifically provided for in the CMAS contract. All software services performed by my company will be by software publisher-authorized personnel and meet software publisher-documented specifications, unless otherwise specifically stated in the agency's purchase order/Statement of Work.
References and Resumes	My company will provide customer references and resumes upon request by the ordering agency.

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ATTACHMENT B – Not Specifically Priced (NSP) Provision

What is NSP?	The Not Specifically Priced (NSP) provision enables agencies to include in their purchase orders non-contract products and services that are subordinate and peripheral to the other purchase order items, within the following parameters.
Contractor Option and Responsibilities	The NSP provision will be included in the contract at the option of the Contractor and the CMAS Unit except as stated below. If the NSP provision is included in the CMAS contract, the Contractor agrees to monitor all purchase orders received to ensure adherence to all NSP provisions.
NSP Not Available	The NSP provision cannot be included in contracts for services or software only. Agency purchase orders for only NSP items are prohibited.
Manufacturer Authorization Required	Contractors must be authorized providers of the products and services they offer under the NSP provision. Contractors may be terminated from the CMAS program for selling NSP products and services they are not authorized or certified to provide.
NSP Dollar Limits	Purchase orders \$250,000 or less: Total dollar value of all NSP items shall not exceed \$5,000. Purchase orders exceeding \$250,000: Total dollar value of all NSP items shall not exceed 5% of the total cost of the purchase order, or \$25,000, whichever is less.
Clearly Identify NSP	NSP items must be clearly identified on the purchase order.
Items Specifically Excluded	The following NSP items are specifically excluded from any purchase order issued under this contract: <ol style="list-style-type: none">1. Items not intended for use in direct support of the CMAS priced items identified in the same purchase order.2. Supply type items, except for the minimum amount necessary to provide initial support to the priced CMAS items included in the same purchase order.3. Items not meeting the Productive Use Requirement.4. Any other items or class of items specifically excluded from the scope of the CMAS contract.5. Public Works components that are NOT incidental to the overall project requirements.6. Products or services the contractor is NOT factory authorized or otherwise certified or trained to provide.

Continued on next page

CMAS CONTRACT APPLICATION

ATTACHMENT B – Not Specifically Priced (NSP) Provision, Continued

Other NSP Parameters

Other NSP parameters are:

1. A purchase order containing NSP items may be issued only if it results in the best value alternative to meet agency needs.
2. Any product or service already specifically priced and identified in the contract may not be identified as a NSP item on a purchase order.
3. All NSP items included in a purchase order issued against a CMAS contract are subject to all the terms and conditions set forth in the contract.
4. Trade-ins and upgrades are permissible where the CMAS contract makes specific provision for the action.

NSP Example

A non-contract cable is subordinate to a contract printer or facsimile machine and is eligible to be a NSP item subject to that cable meeting the remaining NSP requirements. However, non-contract printers or facsimile machines are not subordinate to a contract cable and not eligible to be a NSP item.

CMAS CONTRACT APPLICATION

ATTACHMENT C – Customer Reference Form

See pages 18 & 19 for instructions on completing this reference form.

Company (CMAS Applicant)	
Project Title	
Project Begin Date	
Project End Date	
Reference Customer Agency/Company Street Address City, State and Zip Code Contact Person Contact Phone Number	
Project Description: This description should briefly describe what the project entailed, i.e., the scope of the project.	
Requested Job Titles/Labor Categories: List the job titles offered from the base GSA schedule you identified in Item #24 on page 6 that this reference supports.	
Requested CMAS Product & Service Codes: List the CMAS Product & Service Codes this reference supports. Example: Consulting-IT Project Mgmt Bus Consult-Org Assessment See page 10 for link to CMAS codes.	

Continued on next page

CMAS CONTRACT APPLICATION

ATTACHMENT C – Customer Reference Form, Continued

Specific Services Provided: For detailed instructions, see page 19.

The specific services my company provided to this referenced customer within the last 2 years are:

CMAS Contract Applicant Company:

By signing below, I am certifying that the services described above (or on an attached sheet) were provided to this reference customer, and they support the job titles/labor categories offered from the base GSA schedule.

Printed Name and Title

Signature of CMAS Applicant

Date Signed

Reference Customer Agency or Company:

By signing below, I am verifying that the services described above (or on an attached sheet) provide an accurate description of the services provided to my agency/company by the CMAS Contract Applicant Company named above.

Printed Name and Title

Signature of Reference Customer

Date Signed

CMAS CONTRACT APPLICATION

ATTACHMENT C – Instructions for Completing References

Definitions of Services

Consulting Services: Services of an advisory nature that provide a recommended course of action or personal expertise (product of the mind).

Personal Services: Services that have someone doing something, e.g., film production, interpretation/translation, record shredding, etc.

Stand-Alone Technical Services: Services providing installation, maintenance, repair, or training on either IT or non-IT equipment when the sale of the equipment is not included.

Customer Reference Requirements

The following requirements apply to customer references:

- Provide a minimum of 3 customer references to support all of the job titles/ labor categories offered from the base GSA schedule. This does not mean 3 references per labor category, as each reference can encompass multiple labor categories. If necessary, more references can be submitted as needed to support all categories.
 - References must be for projects your company completed within the last 2 years.
 - References can be from either the public or private sector.
 - Must use the required reference form in this application.
 - The reference customer must sign and date the reference.
-

Company (CMAS Applicant)

Enter the name of the company that provided the service. This is the CMAS applicant company. For newly formed companies who do not have a minimum of three customer references in their company name, enter the name of the owner or partner who provided the services to this referenced customer. See more information under Item #20 on page 11 of this application.

Project Title

Enter the project title.

Project Begin and End Date

Enter the project start date for services performed within the last two years. Enter the last date services were performed. If the project has been started but not completed, enter "On-going" for the end date and identify the task(s) that have been completed in the narrative. Only job titles/labor categories for the completed components of the project will qualify for consideration.

Reference Customer Name and Contact Information

Enter the agency/company name of the reference customer who received the services. Provide this agency/company address, contact person, and phone number of the person who has direct knowledge of the services your company provided. If you worked as a subcontractor on a project, your customer would be the prime contractor who hired your company.

Project Description

Briefly describe the nature of the project. Explain what the project entailed and what services your company was hired to provide.

CMAS CONTRACT APPLICATION

ATTACHMENT C - Instructions for Completing References, Continued

Job Titles/Labor Categories	List the requested job titles/labor categories from the base GSA schedule offered that this reference supports.
CMAS Product & Service Codes	List the CMAS Product & Service (P&S) Codes your company selected that relate to this reference. The CMAS P&S Codes must correlate with the services offered from the base Federal GSA schedule.
Specific Services Provided	<p>In narrative form, describe the services your company provided in chronological order of the project. Provide enough detail to demonstrate a clear correlation between the services provided by your company to the GSA job titles/labor categories offered, and to the CMAS P&S Codes selected. If more space is needed, use an additional sheet(s), which must be signed and dated by the reference customer. For a list of FAQs regarding the CMAS application process, click:</p> <p>http://www.documents.dgs.ca.gov/pd/cmas/ApplicationInfo/ApplicationFAQsFebruary2012.pdf</p>
CMAS Applicant Company Signature	A representative from the CMAS applicant company must sign and date the reference certifying that services provided to this reference customer support the job titles/labor categories offered from the base GSA schedule.
Reference Customer Agency/Company Signature	The contact person from the reference customer agency or company must sign and date the reference verifying that the services described by the applicant provide an accurate description of the services provided.
Contact CMAS for Questions	Applicants with questions regarding customer references for services offered can contact the CMAS Unit. See the cover page of this application for CMAS contact information.

CMAS CONTRACT APPLICATION

ATTACHMENT D – Darfur Contracting Act Certification

Pursuant to Public Contract Code section 10478, if a bidder or proposer currently or within the previous three years has had business activities or other operations outside of the United States, it must certify that it is not a “scrutinized” company as defined in Public Contract Code section 10476. (See back for instructions.)

Therefore, to be eligible to submit a bid, proposal, or CMAS application, please insert your company name and Federal ID Number and complete only one of the following three paragraphs (via initials for Paragraph #1 or Paragraph #2, or via initials and certification for Paragraph #3):

Company/Vendor Name (Printed)

Federal ID Number

Printed Name and Title of Person Initialing (for Options 1 or 2)

1. _____ We do not currently have, or we have not had within the previous three years, business activities or other operations outside of the United States.

Initials

OR

2. _____ We are a scrutinized company as defined in Public Contract Code section 10476, but we have received written permission from the Department of General Services (DGS) to submit a bid or proposal pursuant to Public Contract Code section 10477(b). A copy of the written permission from DGS is included with our bid or proposal.

Initials

OR

3. _____ We currently have, or we have had within the previous three years, business activities or other operations outside of the United States, but we certify below that we are not a scrutinized company as defined in Public Contract Code section 10476.

Initials &
Certification
Below

CERTIFICATION FOR #3

I, the official named below, CERTIFY UNDER PENALTY OF PERJURY that I am duly authorized to legally bind the prospective proposer/bidder/applicant to the clause listed above in #3. This certification is made under the laws of the State of California.

By (Authorized Signature)

Printed Name and Title of Person Signing

Date Executed

Executed in the County and State of

Note Regarding Change of Status – If your company has a change of status, with regard to this certification, during the term of your contract(s) then it is incumbent on your company to submit an updated Certification. For questions regarding a change of status, please contact the contract’s designated State Contract Administrator.

CMAS CONTRACT APPLICATION

ATTACHMENT D - Darfur Contracting Act Certification Instructions

This Certification pertains to the Darfur Contracting Act (Act). All companies offering Non-Information Technology goods and/or services must complete this Certification.

Background

Effective January 1, 2009, procurements for goods or services must address the requirements of the Darfur Contracting Act of 2008 (Act) (Public Contract Code sections 10475, *et seq.*; Stats. 2008, Ch. 272). The Act was passed by the California Legislature and signed into law by the Governor to preclude State agencies generally from contracting with **SCRUTINIZED** companies that do business in the African nation of Sudan (of which the Darfur region is a part), for the reasons described in Public Contract Code section 10475.

A **SCRUTINIZED** company is a company doing specified types of business in Sudan as defined in Public Contract Code section 10476. **SCRUTINIZED** companies are ineligible to, and cannot, bid on or submit a proposal for a contract with a State agency for Non-IT goods and/or services. (Public Contract Code section 10477(a)). Therefore, Public Contract Code section 10478(a) requires a company that currently has (or within the previous three years has had) business activities or other operations outside of the United States to certify that it is not a **SCRUTINIZED** company in order to submit a bid or proposal to a State agency. (See #1 and #3 on the Certification).

A **SCRUTINIZED** company may still, however, submit a bid or proposal for a contract with a State agency for goods or services if the company first obtains permission from the Department of General Services (DGS) according to the criteria set forth in Public Contract Code section 10477(b). (See #2 on the Certification).

Instructions for Certification

- Provide the Certification to an appropriate official within your company.
- The approving official shall fill in the company name and federal ID number and initial either item #1, #2, or #3. If item #3 is initialed, then the Certification for #3 must also be completed by an individual authorized to legally bind your company.
- Include the original, completed Certification with your CMAS application.
- If you are unable to certify as to #1, #2, or #3, or if you have any questions regarding the Certification, please contact CMAS at (916) 375-4365 or via e-mail at cmas@dgs.ca.gov.

Change of Status

If your company has a change of status with regard to this certification during the term of your contract, then it is incumbent on your company to submit an updated Certification. For questions regarding a change of status, please contact the contract's designated State Contract Administrator.

False Certification Penalties

Pursuant to Public Contract Code section 10479, a company that submits a false certification shall be subject to a monetary civil penalty of \$250,000 or twice the amount of the contract, whichever is greater; possible contract termination; ineligibility to bid on state contracts for a minimum of three years; and possible additional civil action, costs and fees.

CMAS CONTRACT APPLICATION

ATTACHMENT E - CHECKLIST

Company Making Offer

Enter the complete, legal name of the company making this CMAS contract offer:

Purpose

The purpose of this checklist is to ensure all required documents are included with your CMAS contract application. Put a check mark in the box next to each document included in your application. Place this completed checklist on top of your application prior to submittal. Missing or incomplete documents from this checklist may cause your CMAS contract application to be returned unprocessed.

**Required Attachments
(Must be signed)**

- ☐ CMAS Contract Application
- ☐ Payee Data Record – Std. 204

**Required Attachments
(No signature)**

- ☐ Attachment E - Checklist (place on top of application)
- ☐ Copy of Base Federal GSA Schedule
- ☐ CMAS Product & Service Codes Selected

**Other Attachments (Check
only applicable items)**

- ☐ Secretary of State – Documentation of Registration
- ☐ Fictitious Business Name Statement
- ☐ Resellers Authorized to Use Your CMAS Contract
- ☐ Authorization Letter(s) to Sell/Service Products
- ☐ Customer References for Consulting/Personal/Stand-Alone Services
- ☐ Darfur Contracting Act Certification

**CMAS Quarterly Activity
Reports**

Companies who have previously been awarded a CMAS contract(s) must be current with all required CMAS Quarterly Activity Reports prior to being awarded a new CMAS contract, or a renewed or modified existing contract. See the “CMAS Contract Management & Information Guide” for information on CMAS Quarterly Reports.